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TO: Commissioner for Patents
Attn: Examiner A. Davenport
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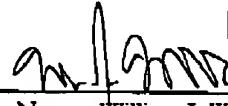
FROM: William J. Wood
OUR REF.: G&C 130.32-US-01
TELEPHONE: (310) 642-4144

Total pages, including cover letter: 6PTO FAX NUMBER: (703) 872-9306

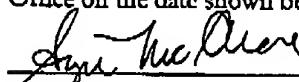
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Title of Document Transmitted:	RESPONSE TO RESTRICTION REQUIREMENT
Applicant:	William P. Van Antwerp et al.
Serial No.:	09/344,676
Filed:	June 25, 1999
Group Art Unit:	1653
Our Ref. No.:	G&C 130.32-US-01

By: 
Name: William J. Wood
Reg. No.: 42,236

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.


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7/3/02
Date

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G&C 130.32-US-01

Due Date: July 3, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

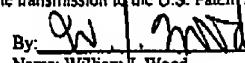
Applicant: William P. Van Antwerp et al.
Serial No.: 09/344,676
Filed: June 25, 1999
Title: MULTIPLE AGENT DIABETES THERAPY

Examiner: A. Davenport
Group Art Unit: 1653
Docket: G&C 130.32-US-01

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By: 
Name: William J. Wood

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Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

We are transmitting herewith the attached:

Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
 Response to Restriction Requirement.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

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A duplicate of this paper is enclosed.

CUSTOMER NUMBER 22462

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(310) 641-8797

By: 
Name: William J. Wood
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WJW/sjm

G&C 130.32-US-01

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Due Date: July 3, 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	William P. Van Antwerp et al.	Examiner:	A. Davenport
Serial No.:	09/344,676	Group Art Unit:	1653
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CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By W. J. Wood
Name William J. Wood

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated June 3, 2002, please enter the following remarks.

REMARKSI. RESTRICTION REQUIREMENT

The Office Action dated June 3, 2002 requires further restriction of the claims into 6 claim groups. In response, Applicants elect Group 1, namely claims 1-7, 9-14, 20-23, 25, 59-63, 65-68 and 71, limited to the subgenera designated G1 and G5 by the Examiner in the outstanding Office Action. However, Applicants do so with traverse. Applicants dispute the assertion by the Office that the 6 claim Groups involve separate and distinct inventions.

35 U.S.C. §121 provides that "If two or more independent and distinct inventions are claimed in one application, the Commissioner may require the application to be restricted to one of the inventions." M.P.E.P. §802.01 deviates from the plain meaning of "independent and distinct" by interpreting "and" to mean "or". The Patent Office relies on the absence from the legislative history of anything contrary to this interpretation as support for their position that "and" means "or". Applicants respectfully note that this position is contrary to the rules of statutory